



## ATTACHMENT A REMARKS

Considering the matters raised in the Office Action in the same order as raised, and turning first to the objection to the Abstract, the Abstract has been amended to eliminate the use of the word "means" in line 6.

Regarding the drawings, Figures 18-20 have been amended to include the legend -- PRIOR ART -- as required by the Examiner. Corrected drawings are submitted herewith and the replacement sheets have each been labeled "Replacement Sheet" as required.

Claims 2, 8, 27 and 28 have been rejected under 35 USC 112, second paragraph, as being "indefinite." As discussed below, these claims have been canceled and replaced by new claims. The objections raised by the Examiner have been addressed in these new claims and it is respectfully submitted that all of the claims now presented are fully in accordance with the requirements of 35 USC 112, second paragraph.

Turning to the rejections on prior art, claims 1 and 2 have been rejected under 35 USC 102(b) as being anticipated by Quinn et al ("Quinn") while claim 8 has been rejected under 35 USC 103(a) as being unpatentable over Quinn in view of Felsen and claim 26 has been rejected under 35 USC 103(a) as being unpatentable over Quinn in view of Schneider et al ("Schneider"). As indicated above, all of the claims presented have been canceled and replaced by new claims 32-41. It is respectfully submitted that claims 32-41 patentably distinguish over the references cited.

First, it is noted that claim 37 corresponds to claim 27 rewritten in independent form. Claim 27 was indicated to be allowable if rewritten or amended to overcome the rejections under 35 USC 112, second paragraph, and to include all the limitations of the base claim and any intervening claims. Thus, it is respectfully submitted that claim 37 and the claims dependent thereon should be allowable.

With respect to new claim 32, this claim is based on a combination of original claims 1 and 26 and thus the rejection based on the Quinn and Schneider references is the relevant rejection here.

It is respectfully submitted that the Schneider patent does not disclose the subject matter of original claim 26 including monitoring the operating current of the motor in small time increments so that a maximum allowable current can be set as a percentage above the operating current and monitoring this maximum allowable current so that should there be a significant and rapid increase in the operating current, the motor shuts down.

Turning to Schneider, the Examiner has relied on lines 31-45 of column 7 as disclosing the subject matter noted above. It is respectfully submitted that these lines merely concern monitoring the voltage across a solenoid to terminate the operation of the system. In particular, Schneider provides that if a voltage across a solenoid drops, the current necessarily increases, which may burn out the motor. It is respectfully submitted that this is not the same thing as monitoring the operating current in small time increments and setting an allowable maximum above the operating current so that, should there be a significant and rapid increase in the operating current, the motor shuts down. In this regard, it is respectfully submitted that this control mechanism is clearly more sophisticated than the simple threshold cutoff described by Schneider.

It is noted that the safety feature claimed in claim 37 enables power to be cut off from the motor if the motor current rapidly increases to a predetermined percentage above the operating current. Considering a non-limiting example, if the motor is used in lowering trailer legs to the ground at a current of around 8 amps, and the current suddenly jumps to 12 amps, then the controller logic turns off the motor. The logic of the controller is based on the assumption that there must be an abnormal reason for such a significant change in current to occur virtually instantaneously. In contrast to the present invention as claimed in claim 37, in Schneider, the rudimentary safety feature provided therein is not time-related nor is it related to the operating current. As indicated above, a simple threshold or trigger is provided in Schneider that is activated to shut off the motor once the voltage drops below a predetermined level.

For the reasons set forth above, it is respectfully submitted that claim 32 and the claims dependent thereon are patentable over the proposed combination of Quinn and Schneider. It is noted that because claim 37 has been indicated to be allowable and because claim 32 is believed to be allowable, a number of the other dependent claims

have been rejoined so as to depend from respective ones of the two independent claims 32 and 37.

Allowance of the application in its present form is respectfully solicited.

**END REMARKS**



## **ATTACHMENT D**

### **Amendments to the Drawings**

The attached Replacement sheets of drawings include the following changes:

In Figures 18-20, the legend -- PRIOR ART -- has been added as required by the Examiner.

The above noted changes are shown on the Annotated sheets also provided herewith.

The Replacement sheets replace the original or previously filed corresponding sheets having the same figures.